

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

OAK HARBOR FREIGHT LINES, INC.

Case No. 3:13-CV-01100-HZ

Plaintiff,

v.

**THOMAS E. PEREZ, in his official capacity
as Secretary of Labor, U.S. Department of
Labor.¹**

ORDER

Defendant.

Upon consideration of Defendant's Motion to Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(1), or in the alternative under Federal Rule of Civil Procedure 12(b)(6), it is hereby

ORDERED that the motion is GRANTED, and it is further

ORDERED that this action is DISMISSED.

Honorable Marco A. Hernández
U.S. District Court Judge

¹ Under Fed. R. Civ. P. 25(d), Thomas E. Perez has been substituted for Seth D. Harris in his official capacity as Defendant in this case.